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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

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6 JASON A. MAHE,

Case No. 3:23-cv-00096-MMD-CLB

7 Plaintiff,

ORDER

8 v.

9 F. FRAZIER, *et al.*,

10 Defendants.

11 *Pro se* Plaintiff Jason Mahe brings this civil rights action under 42 U.S.C. § 1983.
12 (ECF No. 7.) Before the Court is the Report and Recommendation (“R&R”) of United
13 States Magistrate Judge Carla L. Baldwin, recommending that the Court dismiss this
14 action for Mahe’s failure to comply with Local Rule IA 3-1 and the Court’s previous order
15 (ECF No. 22) directing him to update his address. (ECF No. 24.) Objections to the R&R
16 were due June 11, 2024. (*See id.*) To date, no objections have been filed.¹ For this
17 reason, and as explained below, the Court adopts the R&R in full and dismisses this
18 action without prejudice.

19 Because there is no objection, the Court need not conduct *de novo* review and is
20 satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d
21 1114, 1116 (9th Cir. 2003) (“*De novo* review of the magistrate judges’ findings and
22 recommendations is required if, but *only* if, one or both parties file objections to the
23 findings and recommendations.”) (emphasis in original). Judge Baldwin recommends
24 dismissing this action because Mahe failed to comply with the Court’s prior order (ECF
25 No. 22) directing him to update his address by May 20, 2024, consistent with LR IA 3-1.

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27 ¹Both the Court’s order directing Plaintiff to update his address and the R&R were
28 returned as undeliverable. (ECF Nos. 23, 25.) However, as explained in this order, it is
Mahe’s responsibility to file notification of any change of mailing address. *See* LR IA 3-1.

1 (ECF No. 24 at 1.) See LR IA 3-1 (providing that failure to “immediately file with the Court
2 written notification of any change of address . . . may result in dismissal of the action . . .
3 .”); *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988) (describing circumstances under
4 which courts may dismiss an action for failure to follow local rules). The Court warned
5 Mahe that further failure to update his address would result in a recommendation for
6 dismissal. (ECF No. 22 at 1.) The Lorain Correctional Institution in Ohio returned that
7 order, as well as the Court’s previous scheduling order, as undeliverable. (ECF Nos. 21,
8 23.) To date, Mahe has not filed a notice of change of address with the Court. Accordingly,
9 having reviewed the R&R and the record in this case, the Court agrees with Judge
10 Baldwin that dismissal is appropriate and will adopt the R&R in full.

11 It is therefore ordered that Judge Baldwin’s Report and Recommendation (ECF
12 No. 24) is accepted and adopted in full.

13 It is further ordered that this action is dismissed without prejudice.

14 The Clerk of Court is directed to enter judgment accordingly and close this case.

15 DATED THIS 28th Day of June 2024.

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18 MIRANDA M. DU
19 CHIEF UNITED STATES DISTRICT JUDGE
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